

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

Docket No. 99-695

October 25, 1999

CENTRAL MAINE POWER COMPANY  
Request for Approval of Amended &  
Restated Contract with BOC Gases

ORDER APPROVING  
CONTRACT

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

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## **SUMMARY OF DECISION**

By this Order, the Commission approves Central Maine Power Company's (CMP's) proposed customer service agreement (CSA) with BOC Gases.

## **DISCUSSION AND DECISION**

On September 29, 1999, CMP filed with this Commission an amended and restated CSA with BOC Gases. In its filing, CMP requested that the Commission review and approve this Amendment prior to the end of October. CMP acknowledged that the Amendment does not comply with all conditions of the ARP<sup>1</sup> -- indicating that it is intended as an interim measure, only to be in effect until September 30, 2000. CMP indicated that it plans to have discussions with BOC in the summer of 2000 as to the terms necessary to extend the parties relationship beyond the term of this CSA.

Although the revenue contribution from this contract is relatively small, we find that there is no significant risk to CMP's other customers as a result of this Agreement. Therefore, we will allow the CSA to go into effect but make no determination regarding its reasonableness or how the revenues associated with it should be treated for ratemaking purposes. Consistent with the Order approving the most recent Amendment to the BOC Gases Agreement,<sup>2</sup> for purposes of evaluating compliance with 35-A M.R.S.A. § 3204 (10), we will assume the bargain to be preserved will be that of the Agreement between CMP and BOC Gases prior to June 22, 1999.

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<sup>1</sup> Under the ARP, contracts that pass certain conditions are allowed to become effective automatically upon the expiration of 30 days.

<sup>2</sup> Approved by Commission Order in Docket No. 99-368, dated June 22, 1999.

Accordingly, we

O R D E R

That the Customer Service Agreement with BOC Gases, filed by Central Maine Power Company on September 29, 1999, is hereby approved and may become effective as of the date of this Order.

Dated at Augusta, Maine, this 25th day of October, 1999.

BY ORDER OF THE COMMISSION

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Dennis L. Keschl  
Administrative Director

COMMISSIONERS VOTING FOR: Welch

Nugent  
Diamond

## NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Civil Procedure, Rule 73, et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.